

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension or)	
)	CONSENT ORDER OF
Revocation of the Educator Certificate)	
)	VOLUNTARY SURRENDER
of Benjamin Grate)	
)	
Certificate 208698)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 8, 2005. On June 11, 2002, the State Board summarily suspended the educator certificate of Benjamin Grate based on allegations of inappropriate conduct toward and in the presence of female students and staff. On June 12, 2002, the State Department of Education (Department) sent a notice letter of the summary suspension and the possible suspension or revocation of Benjamin Grate's educator certificate, on the same grounds. Mr. Grate now has agreed to the voluntary surrender of his certificate. This agreement gives Mr. Grate the right to reapply for certification after March 9, 2008. If he chooses to reapply for certification, Mr. Grate must pass a character and fitness review by the State Board and meet all current certification requirements. After considering the evidence presented, the State Board voted to accept the voluntary surrender of Mr. Grate's certificate.

Benjamin
Grate
208698

Date

FINDINGS OF FACT

Mr. Grate holds a valid South Carolina teaching certificate with one year of teaching experience. During the 2001-2002 school year, Mr. Grate was under contract with Georgetown County School District and was assigned to Rosemary Middle School. Mr. Grate was suspended on April 22, 2002, from his teaching position based on an investigation that he had engaged in inappropriate conduct toward and in the presence of female students and staff.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004), S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (1991). The State Board finds that there is substantial evidence to support its decision to accept the voluntary surrender of Mr. Grate's certificate 208698. At the end of three years from the date of this Order, Mr. Grate may reapply for a teaching certificate by written request to the Office of Teacher Certification at the South Carolina Department of Education. If he chooses to reapply for certification, Mr. Grate must pass a character and fitness review by the State Board and meet all current certification requirements.

South Carolina State Board of Education

/S/ Paul M. Forrester
Paul M. Forrester, Chair

Columbia, South Carolina
March 8, 2005

I, Benjamin Grate, SC Educator Certificate 208698, do hereby agree to the proposed Consent Order of Voluntary Surrender, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on Tuesday, March 8, 2005.

/S/ Benjamin Grate
Benjamin Grate

3/1/05
Date